

Exhibit "A"

Address Served *SEP 21 2020*

SERVED



IN THE 36TH JUDICIAL CIRCUIT, BUTLER COUNTY, MISSOURI

Judge or Division: MICHAEL MARTIN PRITCHETT	Case Number: 20BT-CV02072
Plaintiff/Petitioner: STACIE J. HIGHFIELD	Plaintiff's/Petitioner's Attorney/Address ANDREW RICHARD TARRY 815 INDEPENDENCE CAPE GIRARDEAU, MO 63703
Defendant/Respondent: WAL-MART STORES EAST, LP	Court Address: 100 NORTH MAIN ST POPLAR BLUFF, MO 63901
Nature of Suit: CC Pers Injury-Other	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: WAL-MART STORES EAST, LP
Alias:702 SW 8TH STREET
BENTONVILLE, AR, MO 72716

COURT SEAL OF



BUTLER COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

9/15/2020

Date

Clerk

Further Information

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____ a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date)

(Seal)

My commission expires

Date

Notary Public:

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ _____

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$ _____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

20BT-CV02072

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IN THE CIRCUIT COURT OF BUTLER COUNTY, MISSOURI

STACIE HIGHFIELD,

Plaintiff,

v.

WAL-MART STORES EAST, LP,
702 S.W. 8TH Street
Bentonville, AR 72716-0215,

Defendant.

Case No.:

PETITION

COMES NOW, Plaintiff, Stacie Highfield, by and through her attorney, Andrew R. Tarry of the Tarry Law Firm, L.L.C., for her cause of action against Defendant, WAL-MART STORES, INC., states and alleges as follows:

PARTIES, JURISDICTION AND VENUE

1. This cause of action arose, and the events and injuries herein alleged occurred, at Walmart Supercenter No. 19 - 333 South Westwood Boulevard, Poplar Bluff, Missouri.

CAUSE OF ACTION

2. The Defendant is a benevolent corporation and property owner of said location; organized and existing under the laws of the state and engaged in the business of operating full-service department stores.
3. On or about June 25, 2020, Plaintiff tripped and fell on damaged/uneven pavement of the parking lot at said location.

4. Defendant knew, or by the use of ordinary care should have known, of the dangerous and hazardous condition of the uneven/damaged pavement of the parking lot.
5. At all times relevant hereto, it remained the duty of Defendant to use ordinary care in the maintenance of said pavement of the parking lot to provide a reasonably safe condition to all patrons of the facility, free from dangers and hazards; and further required of the Defendant to provide ample notice or warning when such dangerous and hazardous conditions did exist.
6. Defendant breached its duty of care by:
 - a. Failing to properly inspect the pavement of said parking lot to identify potential dangerous and hazardous conditions;
 - b. Failing to maintain the condition of said parking lot surface to prevent and/or repair damaged/uneven pavement;
 - c. Failing to warn or give notice of existing dangerous and hazardous conditions by not posting signage, placing barriers, or otherwise calling attention to the damaged/uneven pavement of parking lot.

DAMAGES

7. As a direct and proximate result of the negligence of Defendant, Plaintiff sustained injuries including, but not limited to, head trauma and injuries of/to her neck, back, right shoulder, right foot and right leg.
8. On or about June 26, 2020, Plaintiff sought emergency medical care at Poplar Bluff Regional Medical Center.

9. Plaintiff's above injuries are and were severe, permanent and progressive in nature, character and extent. Prior to Plaintiff's aforementioned trip and fall accident, said Plaintiff was without said impairments and disability. She has suffered, is suffering and will continue to suffer great physical and mental pain. Plaintiff is physically impaired now and will be in the future.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays for judgment against Defendant, as follows:

1. General damages in an amount excess of \$25,000.00;
2. Medical and related expenses;
3. Legal fees and costs of this action; *and*
4. Any other and further relief that the court deems proper.

TARRY LAW FIRM, L.L.C.

/s/ Andrew R. Tarry

Andrew R. Tarry – No. 53061
815 Independence
Cape Girardeau, Missouri 63703
573-651-8644 Telephone
573-651-8636 Facsimile
Attorney for Plaintiff

STATE OF MISSOURI

COUNTY OF CAPE GIRARDEAU

) SS.

Stacie Highfield, being first duly sworn upon her oath, states that she is the Plaintiff named above, and that the facts and matters contained therein are true and correct according to the best of her knowledge, information, and belief.

Stacie Ho Highfield
STACIE HIGHFIELD

Subscribed and sworn to before me in the county and state above mentioned this 15th day of September, 2020.

Notary Public

